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November 14, 2013

BY FIRST CLASS MAIL and ELECTRONIC FILING

Hon. Thomas P. Griesa
Daniel Patrick Moynihan Building
United States Courthouse
500 Pearl Street
Room 1630
New York, New York 10007

Re: Romeo & Juliette Laser Hair Removal, Inc. v. Assara I LLC, et al.
1:08-cv-00442 (TPG)(FM)
Our File No. 3589/05573

Dear Judge Griesa:

This firm represents Plaintiff Romeo & Juliette Laser Hair Removal, Inc. We write relative to the filing of defendants' reply memorandum dated November 13, 2013 submitted in support of their motion to dismiss the second amended complaint. We ask the Court to strike the submission as it is not timely and does not comport with Local Civil Rule 6.1(b).

Defendants brought their motion to dismiss pursuant to notice of motion and memorandum of law electronically filed October 22, 2013. Those documents appear as Document Numbers 165-166. Plaintiff opposed the motion by timely service and filing of its memorandum of law in opposition to the motion, Document Number 167, fourteen days later, on November 5, 2013.

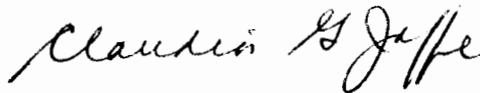
Local Civil Rule 6.1(b) requires that on all civil motions, petitions and applications, apart from those brought under Rules 26 through 37 or under Rule 45(c)(3) of the Federal Rules of Civil Procedure, any reply affidavits and memoranda of law shall be filed within seven days. In this case, defendants; reply should have been served by November 12th. It was not.

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Defendants' failure to abide by Local Civil Rules is representative of their conduct in this action, including their prior disregard of Local Civil Rules and orders of this Court, and in particular, defendants' failure to abide by Magistrate Judge Maas's Order dated July 2, 2013 (Document No. 158), which awarded plaintiff counsel fees of \$6,945.00 based on defendants' failure to comply with the Magistrate Judge's prior discovery orders and defendants' failure to comply with Rule 36 of the Federal Rules of Civil Procedure.

Accordingly, we request defendants' reply memorandum be stricken.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Claudia G. Jaffe", written in a cursive style.

Claudia G. Jaffe (CJ4544)

CGJ

cc: Magistrate Judge Frank Maas (by electronic filing)
Will Shuman, Esq. (by electronic filing)